

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RANDOLPH CYPRIAN,

V.

Plaintiff,

DANIEL WHITE et al.,

Defendants.

No. 3:19-CV-05047-JLR-JRC

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the report and recommendation of Magistrate Judge J. Richard Creatura, objections to the report and recommendation, if any,¹ and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the report and recommendation.
- (2) Defendants White and Germeau's Motion for Summary Judgment (Dkt. 37) is granted, and plaintiff's claims against defendants White and Germeau are dismissed with prejudice. Plaintiff's claims against defendants DePew, Hendershot, and Hiles are dismissed without prejudice.
- (3) The Clerk is directed to send copies of this order to plaintiff, counsel for defendants, and to the Hon. J. Richard Creatura.

DATED this 12th day of April, 2021.

James L. Robart
Hon. James L. Robart
United States District Judge

¹ While the report and recommendation directed the clerk to set the matter for consideration on April 16, 2021, the Court re-noted the report and recommendation to April 9, 2021. (R&R (Dkt. # 66) at 24; *see also* Dkt.); Fed. R. Civ. P. 72(b).